

**TOWN OF ST. LEO**  
**REGULAR COMMISSION MEETING**  
**May 10, 2010**  
**7:00 PM**

OPENING – James Hallett, Mayor

INVOCATION – James Hallett, Mayor

PLEDGE OF ALLEGIANCE – James Hallett – Mayor

ROLL CALL Donna DeWitt, O.S.B. – Commissioner  
Richard Christmas – Commissioner  
James Hallett, O.S.B., Mayor  
William Hamilton, Commissioner – Mayor ProTem  
Robert Courtney - Commissioner

STAFF Joan Miller - Town Clerk  
Patricia Petruff, Town Attorney  
Jan Norsoph, Engelhardt, Hammer and Associates

<u>GUESTS</u>	Dennis Huffman	James Adcock	Raphael Davis
	Chris Williams	Richard Tonello	Anita Davis
	Michael Gradisher	Dan Fowler	
	Brian Williams	Kerry Barnett	
	Jim Wells	Barbara Molloy	

MINUTES **MOTION: TO APPROVE THE MINUTES OF APRIL 12, 2010.**  
**MOTION BY:** Commissioner Hamilton  
**SECOND:** Commissioner Courtney  
Discussion.  
**VOTE:** Unanimous for Approval – Adopted 5/0

EXPENSES AND BUDGET REVIEW

**MOTION: TO ACCEPT FINANCIAL REPORT DATED MAY 10, 2010.**  
**MOTION BY:** Commissioner Christmas  
**SECOND:** Commissioner Hamilton  
Discussion.  
**VOTE:** Unanimous for Approval – Adopted 5/0



Motion on the floor.

**MOTION: TO APPROVE THE APPOINTMENT OF DONNA DEWITT, AS MAYOR PRO TEM FOR A TERM OF ONE YEAR.**

**VOTE:** Unanimous for Approval 5/0

**Swearing in of Elected Municipal Officials**

Clerk Miller gave the oath of office to Donna DeWitt, Richard Christmas and James Hallett, O.S.B.

**ATTORNEY, CLERK AND PLANNER**

Mayor Hallett recommended the reappointment of the Town Clerk, Joan Miller.

**MOTION: TO APPROVE THE REAPPOINTMENT OF TOWN CLERK, JOAN MILLER, FOR A PERIOD OF ONE YEAR.**

**MOTION BY:** Commissioner Christmas

**SECOND BY:** Commissioner Hallett

**VOTE:** Unanimous for approval 5/0

Mayor Hallett recommended the appointment of the Town Attorney, Patricia Petruff, of Dye, Dietrich, Petruff & St. Paul, P.L.

**MOTION TO APPROVE THE APPOINTMENT OF TOWN ATTORNEY, PATRICIA PETRUFF OF DYE, DEITRICH, PETRUFF & ST. PAUL, P.L. FOR A PERIOD OF ONE YEAR.**

**MOTION BY:** Commissioner Christmas

**SECOND BY:** Commissioner Hallett

**VOTE:** Unanimous for approval, 5/0 Adopted

Mayor Hallett recommended the reappointment of the Town Planner, Jan Norsoph, of Engelhardt, Hammer and Associates.

**MOTION: TO APPROVE THE REAPPOINTMENT OF TOWN PLANNER, ENGELHARDT, HAMMER AND ASSOCIATES FOR A PERIOD OF ONE YEAR.**

**MOTION BY:** Commissioner Christmas

**SECOND BY:** Commissioner DeWitt

Discussion.

**VOTE:** Unanimous for approval - Adopted 5/0

**AUDIT** Brian Williams CPA presented the Town of St. Leo independent audit report to the commissioners. Mr. Williams reviewed the entire audit, section by section, and stated that there were no deficiencies, remarks or irregularities to report.

**MOTION: TO ACCEPT THE AUDIT DATED SEPTEMBER 30, 2009 AS PRESENTED.**

**MOTION BY:** Commissioner Christmas

**SECOND BY:** Commissioner Hallett

Discussion.

**VOTE:** Unanimous for approval, 5/0

**Fire Inspector Contract**

Commissioner Hamilton and Clerk Miller met with Kerry Barnett to negotiate a contract for the services of Barnett Safety Consulting. A few minor changes have been made and Attorney Petruff recommends this be approved. Commissioner Christmas asked that the Town of St. Leo be named as an additional insured of Fire Safety Consulting. Mr. Barnett said that there is no problem naming the Town as an additional insured party. This will be added to the contract prior to execution.

**MOTION: TO ACCEPT THE FIRE INSPECTOR AGREEMENT WITH A MODIFICATION OF ADDING THE TOWN OF ST. LEO AS AN ADDITIONAL INSURED.**

**MOTION BY:** Commissioner Hallett

**SECOND BY:** Commissioner Courtney

Discussion.

**VOTE:** Unanimous for Approval, 5/0

**Fire Inspection Fee Resolution**

This resolution will not be read today as an ordinance will need to be prepared. A provision in our charter, Section 3.12, #5 refers to setting user charges. Therefore the fees will be included in an ordinance and later if a change to the fees is required, a resolution can be read at that time.

**MOTION: TO DIRECT ATTORNEY PETRUFF TO CREATE AN ORDINANCE ESTABLISHING FIRE INSPECTION RELATED FEES.**

**MOTION BY:** Commissioner Hallett

**SECOND BY:** Commissioner Courtney

Discussion.

**VOTE:** Unanimous for Approval 5/0

**School Concurrency Agreement**

Richard Tonello and Chris Williams (Director of Planning, Pasco County School District) spoke about changes being made to the current agreement. There are obligations and responsibilities if we continue to be a party to the agreement (even though the town is exempt at this time from school concurrency). Attorney Petruff recommended that the Town asks to be released from this agreement.

There is not obligation by law to continue to participate.

Discussion.

**MOTION: TO EXCLUDE THE TOWN OF ST. LEO FROM THE INTERLOCAL AGREEMENT FOR PLANNING ACTIVITIES TO INCLUDE SCHOOL CONCURRENCY.**

**MOTION BY:** Commissioner Courtney

Discussion was made as to what may need to be done if the Town is released from the agreement. Coordination and cooperation with the school board is already noted in our comprehensive plan. A basic decision must be made as to whether or not the town should continue to be party to the agreement.

Motion died. This item will be an item to be discussed during the June 4<sup>th</sup>, special commission meeting. At that time the town commission can decide if they wish to participate. Action could then be taken at the June 14<sup>th</sup> meeting.

**Saint Leo University PUD**

Inadequate public notification caused the public hearing to be postponed until June 4, 2010. Any member of the public that wished to speak tonight would be heard however, the comments would become part of the official public hearing on June 4th. At tonight's meeting Michael Gradisher and Dan Fowler representing Saint Leo University gave a brief overview of the presentation. Planner Norsoph presented the staff recommendation.

Resident Dennis Huffman asked that a fence along the north side of the project that is adjacent to the Lake Jovita Subdivision and golf course be required as part of the approval of the PUD by the Town. His concern is based on need for the security of subdivision residents both during and after the construction of the softball field and adjacent parking lot.

Dan Fowler requested the Town Commission to consider directing the fire and building inspector to begin the submitted site plan review of the business center, softball stadium and surface parking, so that when/if the PUD is approved the permit can be obtained thereafter. The Attorney suggested that the University could submit plans for plans review provided

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they acknowledge the risk and fees involved. Christmas asked if all previous items have been brought into compliance. Buffers and other elements have been corrected and require review from the Town Planner. Commissioner Christmas confirmed that he would not be signing off on each individual zoning compliance permit required.

**Peggy's Hay Farm Plat Resolution**

Resolution 10-07 was read by Attorney Petruff.

**MOTION: TO ADOPT RESOLUTION 10-07 AND AUTHORIZE APPROVAL OF THE FINAL SUBDIVISION PLAT FOR PEGGY'S HAY FARM.**

**MOTION BY:** Commissioner Christmas

**SECOND BY:** Commissioner Hallett

Discussion.

**VOTE:** Unanimous for Approval 5/0

**OLD BUSINESS**

The possibility of purchasing laptop computers for each commissioner was considered. The clerk was directed to contact First Class Client Programmers to see if the webmail could be accessed remotely by password.

**NEW BUSINESS**

**Triathlon for Haiti**

Bret Meyers is planning to conduct a triathlon at Saint Leo University on Saturday, June 19, 2010, at 7:30 am. All proceeds will go to a 501c3 of Florida Synergy Inc., (out of land O'Lakes). All proceeds will go to Florida Synergy from this event. The event should end by 9 am. Eight law enforcement officers and one sergeant will be present at the event. A certificate of insurance naming the Town and a waiver will be required by the Town.

A an updated special events application will be completed during the next month. This type of event may require an application review by the fire inspector for safety reasons.

**TECO**

James Adcock spoke about the recent request by the Town Clerk for review of town lighting with respect to the FDOT Interlocal Maintenance Agreement. Based on his research it is apparent that the 4 lights/poles that were removed by Saint Leo University had inadvertently continued to be billed to the Town. The Town can expect TECO to reimburse \$2,265.78.00 for overpayment.

**CLERK'S NOTES**

**Zephyrhills Stripe N Seal**

A proposal to maintain the newly asphalted Town Hall parking area.

**MOTION: TO ACCEPT THE ZEPHYRHILLS STRIPE N' SEAL  
PROPOSAL TO SEAL THE TOWN HALL PARKING LOT.**

**MOTION BY:** Commissioner Christmas

**SECOND BY:** Commissioner DeWitt

Discussion.

**VOTE:** Unanimous for Approval

**FACC Conference**

Clerk Miller will be attending the Florida Association of City Clerk's Conference in Panama City on June 6 through 9, 2010.

**Commissioner Hallett**

Commissioner Hallett announced his resignation from the Town

Commission effective immediately due to health reasons.

The commissioner agreed that Hallett has been a great asset to the Town. The Town Charter 3.08 states that a vacancy on the commission shall be filled by appointment by the mayor with the consent of a majority of the commission, of a qualified elector of the town.

**ADJOURNMENT**

**MOTION: TO ADJOURN MEETING AT 9:38 P.M.**

**MOTION BY:** Commissioner Christmas

**SECOND BY:** Commissioner Courtney

**VOTE:** Unanimous for Resolution 5/0 Adopted

Respectfully,  
Joan Miller, C.M.C.